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# Note verbale dated 6 June 2016 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Bulgaria to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, in accordance with paragraph 40 of resolution 2270 (2016), has the honour to transmit herewith the report on the measures taken by the Government of Bulgaria to implement the provisions of resolution 2270 (2016) (see annex).

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## Annex to the note verbale dated 6 June 2016 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chair of the Committee

## Report of Bulgaria to the Security Council Committee established pursuant to resolution 1718 (2006), in accordance with paragraph 40 of resolution 2270 (2016)

Bulgaria has been steadfastly undertaking the measures necessary to implement Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016).

Bulgaria is a co-sponsor of resolution 2270 (2016) and favours its quick implementation.

Bulgaria and the other States members of the European Union have jointly implemented the additional restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in resolution 2270 (2016).[a] The European Union transposed the resolution into law by adopting:

(a) Council Decision (CFSP) 2016/319 of 4 March 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea, which entered into force on 5 March 2016;

(b) Commission Implementing Regulation (EU) 2016/315 of 4 March 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea, which entered into force on 5 March 2016;

(c) Council Decision (CFSP) 2016/476 of 31 March 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea, which entered into force on 1 April 2016;

(d) Council Regulation (EU) 2016/682 of 29 April 2016 amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea, which entered into force on 4 May 2016;

(e) Council Regulation (EU) 2016/569 of 12 April 2016 amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea, which entered into force on 14 April 2016.

In addition to the restrictive measures imposed by resolution 2270 (2016), on 19 May 2016, the European Union extended its autonomous measures by adding 18 persons and one entity to the list of those subject to restrictive measures against the Democratic People's Republic of Korea (DPRK).

The persons subjected to restrictive measures by this Council Decision are mostly high-ranking military officials involved in key bodies responsible for supporting or promoting the DPRK nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes. The additional listed entity is involved in the development and operational implementation of ballistic missile-

[a] All legal acts of the European Union are published in the *Official Journal of the European Union*.

related or other weapons of mass destruction-related programmes. Restrictive measures include travel restrictions and an asset freeze.

The above measures were adopted through:

(a) Council Decision (CFSP) 2016/785 of 19 May 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea, which entered into force on 20 May 2016;

(b) Commission Implementing Regulation (EU) 2016/780 of 19 May 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea, which entered into force on 20 May 2016.

Furthermore, on 27 May 2016, the European Union adopted additional restrictive measures against the Democratic People's Republic of Korea that go beyond resolution 2270 (2016). These measures include the following:

(a) In the trade sector: the prohibition of the import of petroleum products and luxury goods from the DPRK and of the supply, sale or transfer to it of additional items, materials and equipment relating to dual-use goods and technology, and a ban on any public financial support for trade with the country;

(b) In the financial sector: the prohibition of the transfer of funds to and from the DPRK, unless for certain predefined purposes and authorized in advance;

(c) In terms of investment: the prohibition of all investment by the DPRK in the European Union and of investment by nationals or entities of the European Union in the mining, refining and chemical industries sectors, as well as in any entities engaged in the illegal programmes of the country;

(d) In the transport sector: the prohibition on any aircraft operated by DPRK carriers or originating from it, from landing in, taking off from or overflying European Union territory, and on any vessel owned, operated or crewed by the country from entering ports in the European Union.

The above measures were adopted through:

(a) Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP, which entered into force on 29 May 2016;

(b) Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea, which entered into force on 29 May 2016.

The above-mentioned regulations of the European Union are binding in their entirety and applicable to Bulgaria.

Within the scope of its national implementation competence, the State Agency for National Security, which is also responsible for the implementation and control of the restrictive measures against the DPRK has informed all Bulgarian banks of the adoption of resolution 2270 (2016) and instructed them to strictly implement the sanctions contained therein.

The Bulgarian National Bank has published, on its website, the European legal acts and the autonomous criteria of the European Union in determining the

restrictive measures against the DPRK in order to provide timely information for the banks about the latest amendments to the legislation in force. In addition, during the regular on-site inspections, the banks are audited for compliance with European Union legislation concerning customers and transactions to and from the DPRK. In this respect, the relationships established between the inspected bank and a resident of the country are subject to analysis to ascertain if the bank complies with the legal provisions.

The National Customs Agency of Bulgaria, as part of the customs administrations of the States members of the European Union, directly implements the applicable European Union legislation in force concerning the prohibitions and restrictions against the DPRK, persons, entities and bodies associated with the country's nuclear or ballistic missile programmes, and strictly monitors the implementation of the restrictive measures adopted in the context of the Common Foreign and Security Policy of the European Union. In addition, customs officers have the capacity necessary to carry out customs controls of goods subject to restrictions and prohibitions. In view of the strict observance of the restrictive measures against the DPRK in accordance with resolution 2270 (2016) and the subsequent legislative acts of the European Union, detailed instructions have been formulated to facilitate the customs control. Information about the current restrictive measures, adopted in the context of the Common Foreign and Security Policy of the European Union, including the recent changes in the sanctions against the DPRK, is published in due course on the website of the Agency. In addition, the Agency collects the reports by the customs offices on a monthly basis concerning the violations and/or possible problems encountered in the implementation of the sanctions against the DPRK.